

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

CHARLOTTE COLEMAN,

Plaintiff,

v.

GENERAL MOTORS LLC, et al.,

Defendants.

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Case No. 12-2305-CM

ORDER

On July 24, 2014, United States Magistrate Judge James P. O'Hara conducted a hearing in accordance with the undersigned's order to show cause as to why the court should continue to exercise supplemental jurisdiction over the remaining state law claims in this case. Magistrate Judge O'Hara issued a Report and Recommendation (Doc. 145), wherein he recommended that the court dismiss without prejudice plaintiff's remaining claims. Magistrate Judge O'Hara noted in his Report and Recommendation that plaintiff admitted she would suffer no prejudice if her claims against defendants Richard Cheers and Raymond Petty were dismissed without prejudice, permitting her to re-file these claims in state court.

Magistrate Judge O'Hara advised plaintiff of her right to object to the Report and Recommendation within fourteen days, or by August 8, 2014, and further advised that failure to make a timely objection to the Report and Recommendation waives any right to appellate review of the proposed findings of fact, conclusions of law, or recommended disposition.

To date, plaintiff has not filed an objection to the Report and Recommendation, nor has she sought any extension of time to file an objection. Additionally, on August 11, 2014, plaintiff notified

this court that she has filed her state law claims against Richard Cheers and Raymond Petty in St. Charles County, Missouri. Accordingly, with no objection to the Report and Recommendation being filed within the time prescribed, and no extension of time to file an objection being sought by plaintiff, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, and after reviewing the file *de novo*, **IT IS ORDERED** that the Report and Recommendation issued by United States Magistrate Judge James P. O'Hara on July 24, 2014 (Doc. 145) is ACCEPTED, ADOPTED and AFFIRMED. The court declines to exercise supplemental jurisdiction over plaintiff's remaining state law claims and, therefore, dismisses without prejudice those claims asserted against Richard Cheers and Raymond Petty.

IT IS SO ORDERED.

Dated this 12th of August 2014, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge